

HUMAN SERVICES BOARD

In re) Fair Hearing No. R-12/09-653
)
 Appeal of)

The petitioner, pursuant to Fair Hearing Rule No. 1000.4K, requests that the Board reopen and reconsider its Order in this matter dated April 9, 2010, dismissing the petitioner's appeal for failure to prosecute. To the extent the Board understands them, all the arguments raised by the petitioner at this time were previously raised by the petitioner and considered by the Board in its previous Order. The petitioner still has not adequately and comprehensibly identified what issues remain in this case regarding services from VR and what relief he is requesting from the Board in that regard.¹

ORDER

¹ In his most recent written submission to the Board the petitioner indicates (for the first time) that he is seeking monetary "compensation" from VR. However, there is no indication in the record that the petitioner has ever made such a claim for "relief" from VR in the first instance. Thus, consideration of this "issue" by the Board would be, at best, premature. The above notwithstanding, it can also be noted that such relief would be beyond the Board's authority to consider. Fair Hearing No. 12,080 (affirmed by the Vermont Supreme Court in an unpublished opinion, Scherer v. DSW, Dkt. No. 94-206 [Mar. 24, 1999]); see also In re Buttolph, 147 Vt. 641 (1987), Fair Hearing No. 16,043; and Fair Hearing Nos. M-10/09-523 & N-06/09-295.

Inasmuch as the petitioner has not established good cause for the Board to reopen and reconsider this matter, his request is denied. Fair Hearing Rule No. 1000.4K.

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